

Paid

13

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Joseph Montez Loggin, Sr.,  
Plaintiff,

Case: 2:25-cv-11786  
Assigned To : Murphy, Stephen J., III  
Referral Judge: Altman, Kimberly G.  
Assign. Date : 6/13/2025  
Description: CMP LOGGIN V. CITY OF DETROIT ET AL (AB)

v.

City of Detroit,  
Melissa Renee Chehabi, in her official and individual capacity,  
Ryane Lapearl King, in her official and individual capacity,  
Lindsay A. Rogan, in her official and individual capacity,  
Defendants.

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF UNDER 42  
U.S.C. § 1983 (FIRST, SIXTH AND FOURTEENTH AMENDMENT)**

**INTRODUCTION**

1. Plaintiff Joseph Montez Loggin, Sr., brings this civil rights action under 42 U.S.C. § 1983 to redress violations of his rights under the First, Sixth, and Fourteenth Amendment.
2. On May 17, 2025, the 36th District Court, imposed a no-contact order on Plaintiff without a filed appearance, evidentiary hearing or individualized findings.
3. On May 28, 2025, Plaintiff appeared for a scheduled pretrial hearing and invoked his right to self-representation in open court. Despite his appearance, a bench

warrant was issued for failure-to-appear. The warrant was issued without cause and appears retaliatory.

4. These action deprived Plaintiff of his liberty, familial contact, and ability to defend himself, without adequate legal justification or process.

### **JURISDICTION AND VENUE**

5. This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1343(a)(3) because Plaintiff brings claims under the U.S. Constitution and federal civil rights statutes.
6. Venue is proper under 28 U.S.C. § 1391(b) because the events giving rise to these claims occurred in the Eastern District of Michigan.

### **PARTIES**

7. Plaintiff Joseph Montez Loggin, Sr. is a private resident of Detroit, Michigan, and the named defendant in an ongoing criminal matter in the 36th District Court (Case No. 2025-2504532601).
8. Defendant City of Detroit is a municipal corporation responsible for the Detroit Police Department and liable under *Monell v. Department of Social Services*, 436 U.S. 658 (1978), for policies or customs that led to the constitutional violations herein.
9. Defendant Melissa Renee Chehabi is an Assistant Wayne County Prosecutor. She is not sued for her prosecutorial decisions, but for her role in approving

arraignment and pretrial administrative enforcement actions that violated Plaintiff's rights.

10. Defendant Ryane Lapearl King is also an Assistant Wayne County Prosecutor.

She is not sued for her prosecutorial decisions, but for her role in approving pretrial administrative enforcement actions that violated Plaintiff's rights.

11. Defendant Lindsay A. Rogan is a police officer for the City of Detroit, responsible for investigating or enforcing the no-contact order and related arrest warrant. She is sued in her official and individual capacities for injunctive and declaratory relief. Regardless of the order's judicial origin, Defendants Rogan and City of Detroit are responsible for its continued enforcement without legal justification, subjecting them to injunctive relief under federal law.

### **FACTUAL ALLEGATIONS**

12. On May 15, 2025, Plaintiff was arrested for an alleged misdemeanor domestic violence offense (M.C.L. 750.812) involving his spouse, Tanisha Lashay Loggin. No visible injuries or harm were observed or documented at the scene.

13. Plaintiff was detained and subjected to biometric data collection without a prior judicial determination of probable cause, violating the standards articulated in *Gerstein v. Pugh*, 420 U.S. 103 (1975).

14. On May 17, 2025, Plaintiff was arraigned before a magistrate in the 36th District Court. The court entered a not-guilty plea, set bond at \$25,000 personal recognizance, and imposed a blanket no-contact order, *See Exhibit A*.

15. The no-contact order was issued without an evidentiary hearing, affidavit, or individualized findings, infringing upon Plaintiff's procedural due process rights under the Fourteenth Amendment.
16. Plaintiff is lawfully married to the protected person and shares parenting responsibilities with the covered family members.
17. Plaintiff is proceeding as self-represented in the criminal case and requires communication with his spouse to prepare an adequate defense.
18. On or around May 28, 2025, Plaintiff appeared for a scheduled hearing in the 36th District Court and made an on-the-record assertion of his right to self-representation. Despite this, a bench warrant was issued alleging failure to appear. Plaintiff contends this action was retaliatory and directly linked to his assertion of constitutional rights, as he was present in court and there is no legitimate basis for a failure-to-appear finding.
19. Plaintiff asserts that enforcement of the no-contact order and related arrest warrant is retaliatory and selective, not supported by a compelling governmental interest.
20. Plaintiff has not made threats or posed harm to the protected party, and enforcement continues without any updated risk assessment.
21. Plaintiff remains subject to the enforcement of the order, facing ongoing deprivation of liberty, familial contact, and access to witnesses for defense.

### **CLAIMS FOR RELIEF**

#### **COUNT I – FIRST AND 14TH AMENDMENT (Retaliation & Family Association)**

22. Plaintiff incorporates paragraphs 1 through 21 as if fully stated herein.
23. The no-contact order burdened Plaintiff's family association without due process, violating the First and Fourteenth Amendments.
24. Defendants Rogan, Chehabi and King, acting individually and under color of state law, enforced or approved these restrictions without legal basis, in violation of Plaintiff's rights.
25. The issuance of a warrant shortly after Plaintiff asserted his right to self-representation supports a strong inference of retaliatory motive, satisfying the test set forth in *Thaddeus-X v. Blatter*, 175 F.3d 378 (6<sup>th</sup> Cir. 1999).

**COUNT II – SIXTH AMENDMENT (Right to Self-Representation and Witness Access)**

26. Plaintiff incorporates paragraphs 1 through 25.
27. The order prevents Plaintiff from contacting his spouse, a key witness, thereby obstructing his ability to prepare a defense and confront witnesses.
28. This violates the Sixth Amendment. See *Faretta v. California*, 422 U.S. 806 (1975).

**COUNT III – FOURTEENTH AMENDMENT (Procedural Due Process – Pretrial Orders)**

29. Plaintiff incorporates paragraphs 1 through 28.
30. The orders were imposed without notice, hearing, or individualized findings, violating procedural due process. See *Mathews v. Eldridge*, 424 U.S. 319 (1976).

**COUNT IV – MUNICIPAL LIABILITY (MONELL CLAIM) (Policy or Practice of Constitutional Violations)**

31. Plaintiff incorporates paragraphs 1 through 30.
32. The City of Detroit, through its police department and legal officers, has a pattern or practice of enforcing blanket no-contact orders and related warrants without due process.
33. This policy or failure to train caused the constitutional violations alleged see *Monell v. Department of Social Services*, 436 U.S. 658 (1978).

### **REQUEST FOR INJUNCTIVE AND DECLARATORY RELIEF**

34. Plaintiff lacks an adequate remedy at law. He continues to suffer irreparable harm from restrictions on liberty, family contact, and legal defense.
35. Plaintiff satisfies the four-factors standard for injunctive relief set forth in *Winter v. Natural Resources Defense Council*, 555 U.S. 7 (2008):
- a. Likelihood of Success on the Merits: Plaintiff alleges plausible constitutional violations supported by fact and law.
  - b. Irreparable Harm: Continued enforcement of unconstitutional orders results in daily loss of liberty and constitutional rights.
  - c. Balance of Equities: An injunction would prevent unlawful enforcement without harming any legitimate state interest.
  - d. Public Interest: Protecting constitutional rights serves the public interest.
36. Plaintiff does not challenge his prosecution, only the process and enforcement of arraignment and pretrial restrictions. He does not seek to vacate any judgement but requests equitable relief to ensure due process. This Complaint does not seek to interfere with, delay, or terminate the ongoing prosecution, but solely challenges the constitutionality of arraignment and pretrial enforcement procedures

### **PRAYER FOR RELIEF**

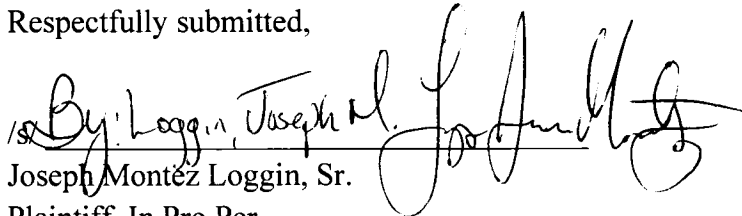
WHEREFORE, Plaintiff respectfully requests that this Court:

1. Declare that the no-contact order and arrest warrant violated the First, Sixth, and Fourteenth Amendments to the U.S. Constitution;
2. Issue preliminary and permanent injunctive relief prohibiting:
  - A. Enforcement of the no-contact order without judicial findings;
  - B. Enforcement of warrants issued without legal or factual basis;
  - C. Enjoin retaliatory or selective enforcement based on Plaintiff's protected conduct;
  - D. Grant any other relief deemed just and proper.

### **Verification Under 28 U.S.C. § 1746**

I, Joseph Montez Loggin, Sr., declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on June 10, 2025.

Respectfully submitted,

  
Joseph Montez Loggin, Sr.

Plaintiff, In Pro Per

c/o 18637 Albion Street

Detroit, Michigan 48234

(313) 736-0084

Jloggin2009@yahoo.com

Exhibit A



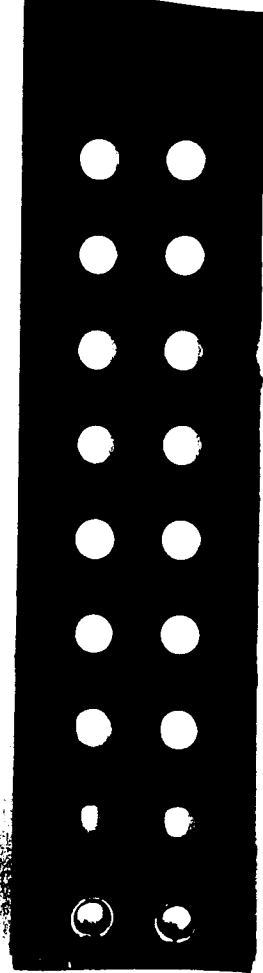
\*DN2529917

LOGIN, JOSEPH

TCN: DN25299175M

MS

Gender: Male  
Race: Black  
D.O.B.: 09-01-1991





☒ 36th District Court

Exhibit A

☐ Third Judicial Court

Date: 5/11/25

**THE STATE OF MICHIGAN**

vs.

DEFENDANT'S NAME

Logan Joseph

DOCKET NO.

\$25,000 PB

PERSONAL BOND AMOUNT

You have been granted release pending resolution of the above case. As a condition of your release you must contact the Pretrial Services Agency of Third Circuit Court, who will be monitoring your release conditions.

**Pretrial Services**

*(within 24 hours)*

Frank Murphy Hall of Justice

1441 St. Antoine, Room 931

Detroit, Michigan 48226

(313) 224-5898

8:30 - 2:30

Pretrial Services will review your conditions of release and provide you with reporting instructions.

Failure to contact Pretrial Services within the 24 hour time frame is considered a violation of your release and can result in a warrant being issued.

5/28

POLICE OFFICER

Exhibit A

Court: 338/Austin William Garrett



State of Michigan  
36<sup>th</sup> District Court  
421 Madison  
Detroit, MI 48226-2358  
36thdistrictcourt.org

DEFENDANT NAME

Joseph Loggin

**DO NOT REPORT TO THE COURTHOUSE FOR THIS HEARING**

Dear Remote Parties:

The 36<sup>th</sup> District Court uses Zoom meeting services to conduct virtual courtroom proceedings.

**Do not report to the Courthouse for this hearing.** You must connect to the virtual courtroom at the time of the proceeding.

**TO CONNECT TO THE VIRTUAL COURT ROOM AT THE TIME OF THE PROCEEDING:**

**For a Smartphone, Tablet, or Desktop Computer:**

1. Go to the 36<sup>th</sup> District Court web page, [www.36thdistrictcourt.org](http://www.36thdistrictcourt.org)
2. Under the "I Want To" heading, select, "Join Zoom Hearing"
3. Find **Courtroom 338/Judge Austin William Garrett** and click "Join Zoom Hearing"

**For Phone Call Connection Only:**

1. Call 929-436-2866
2. Enter Meeting ID: **360-338-0000**.

**To remind you of your upcoming court date by email or text, visit the 36<sup>th</sup> District Court web page to sign up for court date reminders:**

1. Go to the 36<sup>th</sup> District Court web page, [www.36thdistrictcourt.org](http://www.36thdistrictcourt.org)
2. Under the "I Want To" heading, select, "Get Court Date Reminders"
3. Follow the instructions and fill out the form

It is your obligation and responsibility to ensure you have the equipment and networking needed for a successful call. If you are unable to appear at this virtual court hearing, you must contact your attorney and reply to this notice to alert the Court. **If you are unable to appear for this virtual court hearing and you do not have an attorney, you must notify the Court by calling 313-965-2294.**

**Technical Responsibilities:** The Court does not provide technical assistance for testing or troubleshooting. In addition, the Court does not provide time during court

Exhibit A

proceedings to troubleshoot issues. It is your responsibility to ensure that your connection works before your court date.

**Testing Windows, Apple, or Android devices:** Directions for testing your device and networking prior to the proceeding can be found at:

<https://support.zoom.us/hc/en-us/articles/201362313-How-Do-I-Test-My-Video->

**Technical Support:** The court uses Zoom meeting services for the Virtual Court Room experience. If you are having TECHNICAL issues with your equipment, you should review the Zoom training and support materials at: <https://www.zoom.us/>. Please understand that Zoom is an independent service provider and will have NO knowledge of your court case or legal issues.

**Local Court Policy:**

- A virtual court room proceeding and/or teleconference is a court proceeding and therefore an extension of the court room and appropriate conduct and attire are expected and required.
- Remote participants should use a good WiFi connection or a substantial LTE mobile data plan to ensure a quality connection. (Note: Mobile data use may incur substantial cellular carrier charges which are the responsibility of the remote participant.)
- Remote participants must use a private and quiet room that will be free of interruptions. (Outdoor, car, or public places are not permitted.) Also, video meetings need good, consistent lighting, so avoid rooms with bright windows and/or back-lighting.
- Remote participants must place their mobile devices on a solid surface with the camera at eye level. Do not hold mobile devices in your hand and do not lay phones or tablets flat on a desk or table top.
- Remote participants should take time prior to the call to become familiar with the controls and test the microphone and speaker controls.
- If the Court determines the quality of the video experience is not acceptable, it has the right to terminate the call.
- The judge has full power over remote participants as if they were present in the physical court room.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Joseph Montez Loggin, Sr.

DEFENDANTS

City of Detroit; Melissa Renee Chehabi; Ryane Lapearl King; Lindsay A. Rogan

(b) County of Residence of First Listed Plaintiff Wayne

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Wayne

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Pro Se Plaintiff: Joseph Montez Loggin, Sr.,

c/o 18637 Albion Street, Detroit, Michigan 48234

Phone (313) 736-0084

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Description.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutional of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 1983 - Civil Rights Violations (First, Sixth, and Fourteenth Amendments)

Brief description of cause:

Seeking injunctive and declaratory relief for unconstitutional arraignment and pretrial restrictions

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Austin William Garrett

DOCKET NUMBER 2025-2504532601

DATE  
June 12, 2025

SIGNATURE OF ATTORNEY OF RECORD

By: Joseph Montez Loggin, Sr.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

## PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

---